

Expedited Procedure Under 37 CFR §1.116

Application No. 10/540,364

Paper Dated: November 13, 2007

In Reply to USPTO Correspondence of July 27, 2007

Attorney Docket No. 3988-051799

AMENDMENTS TO THE DRAWINGS

Please replace the original drawing sheet 3/3, which included Figs. 5 and 6, with the enclosed Replacement Sheet 3/3, which includes Figs. 5, 6 and new Fig. 7.

Attachment: Replacement Sheet 3/3

REMARKS

In the Office Action, the Examiner objects to the drawings under 37 CFR §1.83(a) as not showing the subject matter of claim 30. Claim 30 recites, among other things, that the inner contour of the partial shells has a plurality of peg-like projections. Applicant respectfully traverses the objection to the drawings under 37 CFR 1.83(a), however, to eliminate this issue the following action is taken. Enclosed herewith is Replacement Sheet 3/3 having new Fig. 7 showing a plurality of peg-like projections. Page 5 of the Specification is amended to reference new Fig. 7, and the paragraph bridging pages 7 and 8 is amended, for the second time, to identify the peg-like projections in Fig. 7.

Support for the amendments to the Specification and the Drawing is found, among other places, in originally filed claim 13 and the originally filed Specification. Based on the forgoing, Applicant respectfully requests admission of the amendments to the Specification, admission of Replacement Sheet 3/3, and withdrawal of the objection to the drawings under 37 CFR §1.83(a)

Claims 20-39 are in the instant application, of which claims 21, 22, 24, 26, 28-30, 32, 33 and 39 are amended to more positively set forth Applicant's patentably novel coupling for a spiral wire flexible hose. Claim 36 is allowed.

Claim 39 is objected to because there is no period at the end of the claim. Claim 39 is amended to add a period at the end of the claim. Support for the amendment to claim 39 is found, among other places, in the pending claims. Based on the forgoing, Applicant respectfully requests admission of the amendment to, consideration of, and withdrawal of the objection to, claim 39.

Claims 21, 35 and 39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant respectfully traverses the objection to claims 21, 35 and 39. However, to eliminate this issue, claim 21, directly dependent on base claim 20, is amended to include all of the limitations of claim 20. Claims

35 and 39 are each directly dependent on claim 21. Support for the amendments to claim 21 is found, among other places, in the pending claims. Based on the forgoing, Applicant respectfully requests withdrawal of the objection to claims 21, 35 and 39, and requests allowance of claims 21, 35 and 39.

Claims 22, 24, 26, 28-30, 32 and 33, directly dependent on rejected claim 20, are each amended to be directly dependent on allowed claim 21. Claims 23, 25, 27, 31, 34, 37 and 38 are dependent on selected ones of claims 22, 24, 26, 28-30, 32 and 33. Support for the amendments to claims 22, 24, 26, 28-30, 32 and 33 is found, among other places, in the pending claims. Based on the forgoing, Applicant respectfully requests admission of the amendments to claims 22, 24, 26, 28-30, 32 and 33, consideration of claims 22-34 37 and 38, and allowance of claims 22-34, 37 and 38.

Claims 20, 26, 28, 29, 32-34, 37 and 38 are rejected under 35 U.S.C. §102(e) as being anticipated by Goodall U.S. Patent No. 2,166,524 (hereinafter also referred to as "Goodall"). Applicant respectfully submits that the rejection of the claims under 35 U.S.C. §102(e) is incorrect. Nevertheless, Applicant respectfully traverses the rejection of claims 20, 26, 28, 29, 32-34, 37 and 38 under 35 U.S.C. §102(e) as being anticipated by Goodall; however, to reduce the issues, claims 26, 28, 29, 32-34, 37 and 38, as discussed above, are amended to depend from allowed claim 21.

Claim 20 recites a coupling for a spiral wire flexible hose having, among other things:

a ring clamp configured as a clamping jaw and including at least two partial shells enclosing a sleeve of the spiral wire flexible hose, wherein the ring clamp has an inner contour having a spiral to receive a spiral wire flexible hose in a positive locking engagement, wherein the hose is adapted to receive a spout therein, wherein the spiral has a variable pitch and extends up to a protrusion situated at the end of the ring clamp, whereby the spout is clamped such that the spout is axially immovable.

The Office Action alleges that the spiral of Goodall has a variable pitch (pitch

of 23 is different from the pitch of 24) and extends up to a protrusion 14 situated at the end of the ring clamp. Goodall discloses, on page 1, lines 51-53, that the number “23” designates a group of parallel ribs and the number “24” designates a group of screw threaded ribs. Applicant respectfully submits that there is no disclosure in Goodall that the screw threaded ribs 24 have a variable pitch. Further, there is no disclosure in Goodall that the group of parallel ribs 23 has a variable pitch. Still further, there is no disclosure in Goodall that the pitch of the parallel ribs is different from the pitch of the screw threaded ribs.

One can argue that the ribs transitioning from the right most one of the parallel ribs 23 to the left most one of the spiral ribs 24, as shown in Fig. 2 of Goodall, has a variable pitch. Claim 20, however, excludes a variable pitch as a result of such a transition. More particularly, claim 20 recites that the ring clamp has an inner contour having a spiral to receive a spiral wire flexible hose, and that the spiral of the ring clamp has a variable pitch. The group of parallel ribs 23 is not a spiral. The group of screw threaded ribs 24 of Goodall are a spiral and there is no disclosure in Goodall that they have a variable pitch.

Based on the foregoing, Applicant respectfully requests withdrawal of the rejection of claims 20, 26, 28-29, 32-34, 37 and 38 under 35 U.S.C. §102(e) as being anticipated by Goodall and requests allowance of claim 20 as being patentably novel over Goodall and allowance of claims 26, 28-29, 32-34, 37 and 38 as depending from an allowed claim.

Claims 22, 23-25, 27, 30 and 31 are rejected under 35 U.S.C. §103(a) as being unpatentable over Goodall. Applicant respectfully traverses the rejection of claims 22, 23-25, 27, 30 and 31 under 35 U.S.C. §103(a) as being unpatentable over Goodall; however, to eliminate this issue, claims 22, 23-25, 27, 30 and 31, as discussed above, now depend from allowed claim 21. Based on the foregoing, Applicant respectfully requests withdrawal of the rejection of claims 22, 23-25, 27, 30 and 31 under 35 U.S.C. §103(a) as being anticipated by Goodall and requests allowance of claims 22, 23-25, 27, 30 and 31 as depending from an allowed claim.

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This amendment represents a sincere effort to place this application in condition for allowance. In the event issues remain, the Examiner is invited to call the undersigned to discuss those issues before further action is taken in this matter.

Respectfully submitted,

THE WEBB LAW FIRM

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